

08/06/01
1130 U.S. PRO

08-08-01

A

25 Metro Drive
Suite 700

San Jose
California 95110

T: 408-453-9200
F: 408-453-7979

Austin, TX
Newport Beach, CA
San Francisco, CA

skjerven morrill
macpherson LLP

Docket No.: M-9131 US

August 6, 2001

Box Patent Application
Commissioner For Patents
Washington, D. C. 20231

Enclosed herewith for filing is a patent application, as follows:

Inventor: James M. Holden

Title: Configurable Metrology Device That Operates In Reflectance Mode, Transmittance Mode,
Or Mixed Mode

- ☒ Return Receipt Postcard
- ☒ This Transmittal Letter (in duplicate)
- 9 pages Specification (not including claims)
- 4 pages Claims
- 1 page Abstract
- 5 Sheets of Drawings consisting of Figs. 1A, 1B, 2, 3, 4, 5, 6A, 6B, 6C, 7A, 7b and 8)
- 2 pages Declaration For Patent Application and Power of Attorney
- 1 page NonPublication Request
- 1 page Recordation Form Cover Sheet (in duplicate)
- 1 page Assignment
- 1 page PTO Form 1449 citing six references
- ☒ Copies of six Cited References submitted

☒ Applicant asserts entitlement to small entity status for the attached patent application

CLAIMS AS FILED (fees computed under 37 CFR §1.9(f))

For	Number Filed		Number Extra		Rate		Basic Fee
Total Claims	22	-20 =	2	x	\$ 9.00	=	\$ 18.00
Independent Claims	4	-3 =	1	x	\$40.00	=	\$ 40.00
<input type="checkbox"/>	Fee of _____ for the first filing of one or more multiple dependent claims per application						\$
<input type="checkbox"/>	Fee for Request for Extension of Time						\$

Please make the following charges to Deposit Account 19-2386:

- ☒ Total fee for filing the patent application in the amount of \$ 413.00
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 19-2386.

EXPRESS MAIL LABEL NO:

EL 701 021 607 US

Respectfully submitted,

Michael J. Halbert

Michael J. Halbert
Attorney for Applicant
Reg. No. 40,633

EXPRESS MAIL LABEL NO:
EL 701 021 607 US

MODIFIED PTO/SB/35 (11-00)

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	Inventor	James M. Holden
	Title	Configurable Metrology Device That Operates In Reflectance Mode, Transmittance Mode, Or Mixed Mode
	Atty Docket Number	M-9131 US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 6, 2001
Date



Michael J. Halbert
Attorney for Applicants
Reg. No.: 40,633

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**